

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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MidFirst Bank



Order Filed on October 12, 2022

by Clerk

U.S. Bankruptcy Court

District of New Jersey

Case No.: 18-21837 JNP

Adv. No.:

Hearing Date: 10/18/2022 @ 11:00 a.m.

Judge: Jerrold N. Poslusny Jr.

In Re:

Damon D. Newkirk,

Debtor.

**ORDER CURING POST-PETITION ARREARS & RESOLVING CERTIFICATION OF
DEFAULT**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: October 12, 2022

A handwritten signature in dark ink, appearing to read "Jerrold N. Poslusny, Jr.", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

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Debtor: Damon D. Newkirk

Case No: 18-21837 JNP

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING CERTIFICATION
OF DEFAULT

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, MidFirst Bank, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 5 Aspen Road, Sicklerville, NJ 08081, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Joseph J. Rogers, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of September 28, 2022 Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due July 2022 through September 2022 for a total post-petition default of \$5,434.38 (3 @ \$1,811.46); and

It is **ORDERED, ADJUDGED and DECREED** that debtor will make one immediate payment of \$1,811.46; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$3,622.92 will be paid by Debtor remitting \$1,207.64 for per month for three months in addition to the regular monthly mortgage payment, which additional payments shall begin on October 1, 2022 and continue for a period of three months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume October 1, 2022, directly to Secured Creditor's servicer, MidFirst Bank, 999 NorthWest Grand Boulevard, Oklahoma City 73118 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$200.00 for attorneys' fees in an amount to be included in a post-petition fee notice, which is to be paid through Debtors' Chapter 13 plan and certification of default is hereby resolved.

In re:
Damon D Newkirk
Debtor

Case No. 18-21837-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Oct 12, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 14, 2022:

| Recip ID | Recipient Name and Address |
|----------|--|
| db | + Damon D Newkirk, 5 Aspen Road, Sicklerville, NJ 08081-3246 |

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 14, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 12, 2022 at the address(es) listed below:

| Name | Email Address |
|------------------|---|
| Denise E. Carlon | on behalf of Creditor MidFirst Bank dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com |
| Isabel C. Balboa | on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com |
| Isabel C. Balboa | ecfmail@standingtrustee.com summarymail@standingtrustee.com |
| John F Newman | on behalf of Creditor SJFCU courts@southjerseyfcu.com |
| Joseph J. Rogers | on behalf of Debtor Damon D Newkirk jjresq@comcast.net jjrogers0507@gmail.com |
| U.S. Trustee | USTPRegion03.NE.ECF@usdoj.gov |

District/off: 0312-1

User: admin

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Date Rcvd: Oct 12, 2022

Form ID: pdf903

Total Noticed: 1

TOTAL: 6